

MINUTES

MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN JIM ELLIOTT**, on February 4, 2005 at 8 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jim Elliott, Chairman (D)
Sen. Jerry W. Black (R)
Sen. Jeff Essmann (R)
Sen. Kelly Gebhardt (R)
Sen. Kim Gillan (D)
Sen. Dan Harrington (D)
Sen. Sam Kitzenberg (R)
Sen. Bob Story Jr. (R)
Sen. Ken Toole (D)

Members Excused: Sen. Jon Ellingson (D)
Sen. Trudi Schmidt (D)

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Lee Heiman, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 276, 1/26/2005; SB 323,
1/31/2005; SB 334, 1/31/2005; SB
340, 1/31/2005

Executive Action: None.

00:00:39

HEARING ON SB 276

Opening Statement by Sponsor:

SEN. KEITH BALES (R), SD 20, opened the hearing on SB 276, Revise taxes on bentonite.

Proponents' Testimony:

00:10:15 Bill Loehding, Commissioner, Carter County
00:12:22 Willie Duffield, Carter County
00:14:53 John Prinkk, Carbon County Commissioner, Montana
Association of County Officials
00:16:34 Harold Blattie, Montana Association of County
Officials
00:18:15 Bill Trevethan, Halliburton

EXHIBIT(tas28a01)

00:22:16 Brian Lucas, American Colloid Company

Opponents' Testimony:

00:23:23 Jerome Anderson, Wyo-Ben, Inc.
00:25:34 Richard Brown, Vice President of Resources, Wyo-
Ben, Inc.

EXHIBIT(tas28a02)

EXHIBIT(tas28a03)

00:40:59 Greg Menge, Ameness Bentonite Corporation

Informational Testimony:

00:45:42 Vern Fogle, Department of Revenue

Questions from Committee Members and Responses:

00:46:22 Robert Wyler, Certified Public Accountant, Wyo-Ben
Inc.
00:40:25 Van Charlton, Department of Revenue

01:08:37

Closing by Sponsor:

01:16:41

HEARING ON SB 334

Opening Statement by Sponsor:

SEN. FRANK SMITH (D), SD 16, opened the hearing on **SB 334**, Tax cigarette papers.

Proponents' Testimony: None.

Opponents' Testimony:

01:19:18 **Ed Bartlett, North Atlantic Operating Company**

EXHIBIT(tas28a04)

01:25:19 **Mark Staples, T.O.P. Manufacturing**

Informational Testimony:

01:23:44 **Lee Baerlocher, Department of Revenue**

01:28:35

Questions from Committee Members and Responses:

01:34:27

Closing by Sponsor:

01:36:46

HEARING ON SB 323

Opening Statement by Sponsor:

SEN. JERRY BLACK (R), SD 14, opened the hearing on **SB 323**, Carryback and carryforward contractor's gross receipts tax -- corporate income.

01:36:51 **SEN. TOOLE** assumes the Chair.

Proponents' Testimony:

01:39:42 **Carl Schweitzer, Bozeman Chamber of Commerce,
Kalispell Chamber of Commerce**

01:42:55 **Gary Forrester, Montana Contractors Association**

01:42:41 **Bill Bentley, Montana Contractors Association**

Opponents' Testimony: None.

Informational Testimony: None.

01:43:38

Questions from Committee Members and Responses:

01:47:57

Closing by Sponsor:

01:49:19

HEARING ON SB 340

Opening Statement by Sponsor:

SEN. JEFF ESSMANN (R), SD 28, opened the hearing on **SB 340**,
Builder allowed tax credit for residential geothermal systems.

Proponents' Testimony:

01:53:25 **Doug Hardy, Montana Electric Cooperatives
Association**

EXHIBIT(tas28a05)

01:55:11 **Dave Kelsey, Yellowstone Valley Electric Coop**
01:58:17 **Brandon Wittman, Yellowstone Valley Electric Coop**
02:00:32 **Leslie McClain, Montana Environmental Information
Center**

Opponents' Testimony: None.

Informational Testimony: None.

02:02:49

Questions from Committee Members and Responses:

02:16:38

Closing by Sponsor:

02:18:23

DISCUSSION OF SPECIAL COMMITTEE BILL

EXHIBIT(tas28a06)

ADJOURNMENT

Adjournment: 10:23 A.M.

SEN. JIM ELLIOTT, Chairman

KATHLEEN ELY, Secretary

JE/ke

Additional Exhibits:

EXHIBIT ([tas28aad0.TIF](#))